

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ALLEN RACY,

Plaintiff,

V.

**CW WYNN, LLC & CHARLES
WILLIAM WYNN,**

Defendants.

CIVIL ACTION NO. 4:17-cv-00933

JURY TRIAL DEMANDED

**JOINT MOTION TO APPROVE CONFIDENTIAL SETTLEMENT
AND TO DISMISS CASE WITH PREJUDICE**

The Parties file this joint motion to approve their confidential settlement agreement (the “Agreement”) and to dismiss this case with prejudice as follows:

I.

Plaintiff filed this lawsuit on March 24, 2017 to recover wages allegedly owed to him by Defendants, and brought claims pursuant to the Fair Labor Standards Act (“FLSA”). (Dkt. No. 1). This is not a collective action and no individuals have opted into this lawsuit.

II.

After Plaintiff’s pay and time data was exchanged and negotiations took place, this case was recently settled. The terms of the settlement are confidential. The Plaintiff has approved the settlement and has signed the Parties’ Confidential Settlement Agreement and Release. Similarly, Defendant has approved the settlement. All Parties are in agreement as to the apportionment and distribution of the settlement funds. The settlement is in the best interest of all parties.

III.

The settlement was negotiated at arm's length and represents the resolution of a bona fide dispute. All Parties were represented by counsel with years of experience handling these types of FLSA cases. The Parties represent to the Court that the terms of the settlement are fair, reasonable and in the best interests of the Parties. While the terms of the settlement are confidential, the Plaintiff shall receive substantial monetary relief given the litigation risks associated with his claims and the risks he faces in recovering a judgment against Defendant. By entering into this settlement, however, Defendant has not conceded liability.

In light of the Parties' settlement, they now respectfully request that the Court enter the accompanying order approving the settlement and dismissing this case with prejudice to refiling, and with each party bearing their own costs.

Jointly Submitted By:

By: /s/ Ahad Khan

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ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served in accordance with the Federal Rules of Civil Procedure on June 19, 2017 to all counsel of record.

/s/ Sidd Rao

Sidd Rao